

EXHIBIT

6

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICANCITIZENS, <i>et al.</i> ,	§ § §	
<i>Plaintiffs,</i>	§ § §	Case No. 3:21-cv-259 [Lead Case]
v.	§ § §	
GREG ABBOTT, <i>et al.</i> ,	§ § §	
<i>Defendants.</i>	§ §	

DEFENDANTS' INITIAL DISCLOSURES

TO: The LULAC Plaintiffs (Case No. 3:21-cv-259), by and through their attorney of record, Nina Perales, Mexican American Legal Defense and Educational Fund, 110 Broadway Suite 300, San Antonio, TX 78205; Plaintiff Damon James Wilson (Case No. 1:21-cv-943), by and through his attorney of record, Richard Gladden, 1204 W. University Dr. Suite 307, Denton, TX 76201; the Voto Latino Plaintiffs (Case No. 1:21-cv-965), by and through their attorney of record, Renea Hicks, Law Office of Max Renea Hicks, P.O. Box 303187, Austin, TX 78703; the MALC Plaintiffs (Case No. 1:21-cv-988), by and through their attorney of record, George (Tex) Quesada, 3811 Turtle Creek Boulevard, Suite 1400, Dallas, TX 75219; the Brooks Plaintiffs (Case No. 1:21-cv-991), by and through their attorney of record, Chad W. Dunn, Brazil & Dunn, 4407 Bee Caves Road, Building 1, Ste. 111, Austin, TX 78746; Plaintiff Texas State Conference of the NAACP (Case No. 1:21-cv-1006), by and through its attorney of record, Lindsey B. Cohan, Dechert LLP, 515 Congress Avenue, Suite 1400, Austin, TX 78701; the Fair Maps Plaintiffs (Case No. 1:21-cv-1038), by and through their attorney of record, David A. Donatti, ACLU Foundation of Texas, Inc., P.O. Box 8306, Houston, TX 77288; Plaintiff United States of America (Case no. 3:21-cv-299), by and through its counsel of record, Daniel J. Freeman, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530; Plaintiff Trey Martinez Fischer (Case No. 3:21-cv-306) and Plaintiff Veronica Escobar, by and through their counsel of record, Martin Golando, The Law Office of Martin Golando, PLLC, 2326 W. Magnolia Ave., San Antonio, TX 78201; Intervenor Plaintiffs Lee, Green, Crockett, and Johnson (Case No. 3:21-cv-259), by and through their counsel of record, Gary Bledsoe, The Bledsoe Law Firm PLLC, 6633 Highway 290 East #208, Austin, Texas 78723.

Governor Greg Abbott, Secretary of State John Scott, Speaker Dade Phelan, Lieutenant Governor Dan Patrick, each in their official capacities, and the State of Texas (collectively, "Defendants") submit these Initial Disclosures in accordance with Rule 26(a)(1) of the Federal

Rules of Civil Procedure and the Scheduling Order (ECF 96). Defendants make these disclosures subject to pending motions to dismiss and do not concede the viability of any claim against any of the Defendants. Nor does any Defendant waive any protections provided by the attorney work product protection, attorney-client privilege, or any other applicable privilege, protection, doctrine, or immunity. Defendants reserve the right to supplement these Initial Disclosures as additional discovery, investigation, and analysis may warrant. Defendants likewise do not waive the right to object, on any grounds, to (1) the evidentiary use of the information contained in these Initial Disclosures or (2) discovery requests relating to these Initial Disclosures.

Date: January 21, 2022

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN
Deputy Attorney General for Special Litigation
Texas State Bar No. 00798537

BRENT WEBSTER
First Assistant Attorney General

WILLIAM T. THOMPSON
Deputy Chief, Special Litigation Unit
Texas State Bar No. 24088531

JEFFREY M. WHITE
Special Counsel, Special Litigation Division
Texas Bar No. 24064380

JACK B. DiSORBO
Assistant Attorney General, Special Litigation Unit
Texas Bar No. 24120804

Office of the Attorney General
P.O. Box 12548 (MC-009)
Austin, Texas 78711-2548
Tel.: (512) 463-2100
Fax: (512) 457-4410
patrick.sweeten@oag.texas.gov
will.thompson@oag.texas.gov
jeff.white@oag.texas.gov
jack.disorbo@oag.texas.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was served on all parties via electronic mail on January 21, 2022.

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN

INITIAL DISCLOSURES

I. The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

Based on the information currently available to Defendants, Defendants may use the following individuals to support their claims or defenses in these consolidated cases. These individuals may have discoverable information on the identified subjects. This identification of individuals does not include those individuals who may be used solely for impeachment purposes.

A. Redistricting Committee Chairs

In these cases, the relevant bills are (1) An Act Relating to the Composition of Districts for the Election of Members of the Texas House of Representatives, H.B.1, 87th Leg., 3d C.S. (2021), (2) An Act Relating to the Composition of Districts for the Election of Members of the Texas Senate, S.B.4, 87th Leg., 3d C.S. (2021), (3) An Act Relating to the Composition of Districts for the Election of Members of the United States House of Representatives from the State of Texas, S.B.6, 87th Leg., 3d C.S. (2021), and (4) An Act Relating to the Composition of Districts for the Election of Members of the State Board of Education, S.B.7, 87th Leg., 3d C.S. (2021). These are referred to collectively as “the challenged redistricting bills.”

Senator Huffman is the Chair of the Senate Special Committee on Redistricting. She may have discoverable information on the passage of the challenged redistricting bills in the Senate. The other members of the Senate Special Committee on Redistricting may also have discoverable

information on the legislative process related to the passage of the challenged redistricting bills.¹

Senator Huffman may be contacted through her counsel, as provided below:

Senator Joan Huffman
c/o Patrick K. Sweeten
Office of the Attorney General
P.O. Box 12548 (MC-076)
Austin, TX 78711-2548
(512) 936-1414

Representative Hunter is the Chair of the House Redistricting Committee. He may have discoverable information on the passage of the challenged redistricting bills in the House. The other members of the House Redistricting Committee may also have discoverable information on the legislative process related to the passage of the challenged redistricting bills.² Representative Hunter may be contacted through his counsel, as provided below:

Representative Todd Hunter
c/o Patrick K. Sweeten
Office of the Attorney General
P.O. Box 12548 (MC-076)
Austin, TX 78711-2548
(512) 936-1414

Representative Phil King is the former Chair of the House Redistricting Committee. He may have discoverable information on the actions taken by the House Redistricting Committee regarding the 2020 Census and efforts to prepare for subsequent redistricting legislation. Representative King may be contacted through his counsel, as provided below:

¹ For reference, the members of the Senate Special Committee on Redistricting may be found at the following website: <https://senate.texas.gov/cmte.php?c=625>.

² The members of the House Redistricting Committee may be found at the following website: <https://house.texas.gov/committees/committee/?committee=C080>.

Representative Phil King
c/o Patrick K. Sweeten
Office of the Attorney General
P.O. Box 12548 (MC-076)
Austin, TX 78711-2548
(512) 936-1414

B. Texas Legislative Council

The Texas Legislative Council is a nonpartisan legislative agency. Among other duties, it stores demographic data provided by the U.S. Census Bureau and houses publicly submitted redistricting maps on its *DistrictViewer* website. Members of the Texas Legislative Council may have relevant redistricting information and data.³

Texas Legislative Council
P.O. Box 12128
Austin, TX 78711-2128
(512) 463-6622

C. Plaintiffs and Intervenor-Plaintiffs

Defendants hereby incorporate by reference each of the individuals and entities identified in the plaintiffs' and intervenor-plaintiffs' initial disclosures. Those individuals and entities may have discoverable information regarding the allegations set forth in the plaintiffs' and intervenor-plaintiffs' complaints.

³ Texas Legislative Council Redistricting Support: <https://tlc.texas.gov/redistricting>.

II. A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

A. Texas Legislative Council

The Texas Legislative Council houses redistricting maps and data that may be relevant to these cases. These documents and data are available to the public. The following websites contain the following specific information:

- a. *DistrictViewer*. This webpage houses proposed redistricting maps that are made available to the public. Website: <https://dvr.capitol.texas.gov/>.
- b. Elections Data. This webpage houses election-results data for a number of elections from 2010 to 2021. Website: <https://data.capitol.texas.gov/topic/elections>.
- c. Geography. This webpage houses several maps that describe the geographic location of several redistricting measurements, such as voting tabulation districts. Website: <https://data.capitol.texas.gov/topic/geography>.
- d. Redistricting 2021. This webpage houses information—such as maps and data—concerning each publicly-available redistricting proposal. Website: <https://data.capitol.texas.gov/topic/redistricting>.
- e. Redistricting Archive. This webpage houses information—such as maps and data—on prior redistricting proposals. Website: <https://data.capitol.texas.gov/topic/redistricting-2010s>.
- f. Redistricting Application. The Texas Legislative Council also administers the Texas Redistricting Application, or “RedAppl.” RedAppl houses various Census and other demographic data, including data compiled by the American Community Survey. Members of the public may request access to RedAppl by following instructions located at this website:
<https://redistricting.capitol.texas.gov/docs/public-access-policies.pdf>.

B. Texas Legislature Online

The Texas Legislature Online is the website for the Texas Legislature. It provides information on legislation, committees, and the House and Senate generally. It houses information that may be relevant to the legislative history of the challenged redistricting bills, including previous drafts of the bills, committee meetings, and bill analyses. Information concerning a

specific bill may be found at this webpage: <https://capitol.texas.gov/Home.aspx>. Information concerning committees may be found at this webpage: <https://capitol.texas.gov/MnuCommittees.aspx>. This information is publicly available.

C. Texas House and Senate Websites

The Texas House of Representatives and Texas Senate maintain websites on which records are housed. These websites may contain information relevant to the legislative process by which the challenged redistricting bills were passed, and accompanying records. Records of the House Journal may be found at this webpage: <https://journals.house.texas.gov/hjrnl/home.htm>. Records of video broadcasts of House committee hearings or House floor debates may be found at this webpage: <https://house.texas.gov/video-audio/>. Records pertaining to the House Redistricting Committee may be found at this webpage: <https://house.texas.gov/committees/committee/?committee=C080>. Records of the Senate Journal may be found at this webpage: <https://journals.senate.texas.gov/sjrn1/home.htm>. Records of video broadcasts of Senate committee hearings or floor debates may be found at this webpage: <https://senate.texas.gov/av-live.php>. Records pertaining to the Senate Special Committee on Redistricting may be found at this webpage: <https://senate.texas.gov/cmte.php?c=625>.

D. Texas Secretary of State Election Results

The Office of the Texas Secretary of State administers a website that houses data on results of elections conducted in Texas. This website may contain information relevant to election results as they relate to the redistricting claims at issue in these cases. Website: <https://www.sos.state.tx.us/elections/historical/index.shtml>.

III. A computation of each category of damages claimed by the disclosing party on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Not Applicable.

IV. Any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Not Applicable.